

Compliance Assessment Report CAR_NRW0043262

Permit being assessed: BV7460ID.

For: Newport Semiconductor Plant, **held by:** Nexperia Newport Limited

At: Cardiff Road, Newport, South Wales, NP10 8YJ.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 26/01/2024.

Parts of permit assessed: 4.2.2 Annual Reports 2023; 4.2.5 Solvent Management Plan 2023.

NRW Lead Officer: Rebecca Green.

Report sent to: Giovanni Mameli, Environmental Engineer, on 31/01/2024.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1C - Management - Energy Efficiency	Assessed (A)	
IR1D - Management - Efficient use of raw materials	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR3E - Emissions and monitoring - Monitoring	Assessed (A)	
IR4B - Information - Reporting	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

No action required.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Forms W1, Emissions to Water, 1st July to 31st December 2023; S1, Emissions to Sewer, 1st July to 31st December 2023; WaterUsage1 2023; Energy1 2023 and Performance1 2023 were all received on 26th January 2024.

The Solvent Management Plan 2023 was received on 30th January 2023.
All the reports are accepted.

The data in forms WaterUsage1 2023, Energy1 2023 and Performance1 2023 is subject to a "Commercial in Confidence" agreement and will not be placed on the Public Register. The information may be made available should Natural Resources Wales (NRW) receive a Freedom of Information request.

W1 Emissions to Water, 1st July to 31st December 2023

All parameters were within their emission limit values (ELV).

An oily sheen was detected on the surface of the lagoon on 22nd November and 29th December 2023. Nexperia took prompt, appropriate action to prevent any oil being discharged from W1.

S1 Emissions to Sewer, 1st July to 31st December 2023

There are no ELVs for emissions to sewer. All determinands were at low concentrations.

WaterUsage1 2023

Total use was higher than in 2022 and about 18% higher per m² of silicon production (m² Si). This was due to the increased complexity of the product mix.

Energy1 2023

The CHP generated 16003MWh of electricity in 2023, less than in 2022 but about the same per m² Si.

Total energy use was more than in 2022 and about 18% higher per m² Si.

Electricity use was more than in 2022 and about 30% higher per m² Si.

Gas consumption was less than in 2022 and about the same per m² Si.

No oil was used in 2023.

Performance1 2023

Production decreased by about 13% in 2023.

Total waste and solvent waste generated were less than in 2022. Total waste was about 10% lower per m² Si whilst solvent waste was about 11% higher per m² Si. All solvent waste is sent for recycling.

More hazardous waste was sent for disposal in 2023, rising by 36% per m² Si. Hazardous waste sent for recycling was less than in 2022, but increased slightly per m² Si.

The non-hazardous waste sent for recycling was less than in 2022, decreasing by 23% per m² Si.

The total waste recycled was lower than in 2022 and about 12% less per m² Si. Total waste disposed of was more than in 2022, increasing by 36% per m² Si.

The changes in waste generation and recycling are mainly due to fewer new tools being installed, less disposal of old or obsolete equipment and changes in the product mix.

Solvent Management Plan 2023

The submission of an annual Solvent Management Plan (SMP) demonstrates compliance with the Industrial Emissions Directive (IED) and with Permit Condition 4.2.5 in Nexperia's permit.

Total solvent use and use per m² Si both decreased in 2023. Fugitive solvent emissions remain at an estimated 5% of total consumption. Monitoring of solvent emissions to air is carried out annually at emission points A1 and A10. NRW have not seen the results for 2023. Nexperia state that they comply with the emission limit values set out in the IED.

Nexperia continue to use two substances bearing the prescribed hazard statements because there are no alternatives available at present.

The increases in resource resource use and waste disposal are largely a result of the lower production volumes and changes in the product mix. The uncertainty over the future of the site has made 2023 a difficult year for Nexperia. This has largely been resolved and the outlook for the site is now more promising.

END.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or

suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within twenty working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 to 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.